UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,380	11/13/2000	Jonathan Lenchner	YOR920000621US1	8649

7590   04/20/2006

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EXAMINER
DASS, HARISH T

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>20 March 2006</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
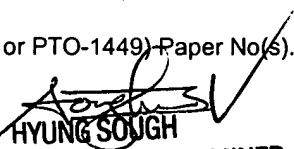
     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

HYUNG SOUGH
SUPERVISORY PATENT EXAMINER Harish T. Dass
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Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's argument (page 2 of remarks) recites, "The Rossides ... fails to teach or suggest such a buyer-provided offset value." Secondary reference McCullough discloses random number based on said buyer-provided offset (seed) value, and wherein said rounding is performed by said computer [see document particularly page 638-639, 655-656] to make rounding number repeatable with degree of accuracy ad restrict the outcome to the interval (0,1).

In response to applicant's argument (page 2 of remarks) recites part of the specification, (a), the specification does not provide how the buyer-provided offset value is created, simply states that the buyer-provided offset can, for example ... bill (paper currency) provided by the buyer". The specification does not show any example, how the buyer offset is generated. For example, what is the buyer offset if a buyer inserts a $10 bill for a purchase of $5.60 item, if a buyer inserts a $20 bill and what is the buyer offset if a buyer inserts a $5 bill and $1 bill or 6 one dollar bills? How the buyer offset is calculated? Specification does not provide any detail. (b) McCullough's formula (10) for random generator in page 655 is

$I_{j+1} = aI_j + c$ or $Y = aX + b$ (familiar linear formula)
Where parameters a and c are chosen (page 655)

I_{j+1} is generated base on the buyer's seed or input. This formula (10) has two components the random component "aI_j" and bias component "c" which is the offset for the random number. In special case if a=0, then the $I_{j+1} = c$. Therefore, McCullough discloses buyer-provided offset. It should be noted that random numbers have values between 0 and 1.

In response to applicant's argument (page 3 of remarks) recites " a user-supplied seed is not the same as a user provided offset" see supra.

In response to applicant's argument (page 3 of remarks) recites "allowing the user to pick the seed for a random generator does not make a random number generator any more trustworthy, since the random number generator may simply ignore the user-provided seed." Applicant speculates that the seed may be ignored, but provides no substantive reason why this would occur and does not provide any reason how applicant's buyer-provided offset distinguish over McCullough?

In response to applicant's argument (page 3 of remarks) recites "as noted above, a buyer-provided offset value "guarantees" that the seller cannot introduce a bias into the ..." How?.